

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JESSE J. ERKINS,)	CASE NO.: 1:06CV724
)	1:04CR637
Petitioner,)	
)	
v.)	JUDGE JOHN ADAMS
)	
UNITED STATES OF AMERICA,)	
)	<u>ORDER AND DECISION</u>
Respondent.)	
)	

On March 30, 2006, Petitioner Jesse J. Erkins, a federal prisoner currently incarcerated at a federal medical center in Lexington, Kentucky, executed a pro se motion under 28 U.S.C. § 2255 in order to vacate, set aside, or correct his sentence. (ECF Doc. #1) The Respondent United States of America filed a response in opposition to the motion on September 1, 2006. (EFC Doc. #7) Petitioner timely filed a reply brief. (ECF Doc. #11) Having reviewed the Petition, Opposition, Reply, exhibits and applicable law, the Court hereby finds that an evidentiary hearing is unnecessary and determines, based on the reasons stated in Respondent's brief, that Petitioner's Motion is not well-taken and is therefore DENIED.

So ordered.

Date: June 21, 2007

s/ Judge John R. Adams
JUDGE JOHN R. ADAMS
UNITED STATES DISTRICT COURT